

ALD-355

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NOS. 07-2293 & 07-2397

KAMAL KARNA ROY,
a/k/a Jungle Democracy,

Appellant

v.

UNITED STATES OF AMERICA; NEW YORK, NEW YORK;
PRESIDENT GEORGE BUSH; DICK CHENEY; LISA NISBORN ROY;
HARRIETSTOWN HOUSING AUTHORITY; CITIZENS BANK; KELLI
PETERSON; NANCY WOOD; RICHMOND COUNTY DISTRICT ATTORNEY;
RICHARD OSINDACH; HON. JEFFEREY ROMES; JAMES BAROWSKI;
THE NEW YORK TIMES; ESTELLE KRAUSHANI; WORKERS COMPENSATION
BOARD, NEW YORK; HON. JOHN ROBERTS; KENTUCKY FRIED CHICKEN;
TRAVELERS INSURANCE CO.; NYS JUDICIAL COMMISSION; ATTORNEY
TRAVELERS INS; US DEPARTMENT OF JUSTICE; EXECUTIVE HEAD
STATE INSURANCE FUND; NBT BANK; CHAIRPERSON TRAVELERS
INSURANCE CO.;
NY STATE INSURANCE DEPARTMENT; PRIME MINISTER INDIA; HSBC BANK;
SOMMATH CHATTURJEE; THE STATE INSURANCE FUND; GOD;
DOUGLAS J. HAYDES; DEBBIE EORIYAO

On Appeal From the United States District Court
For the District of Delaware
(D.C. Civ. No. 06-cv-00685)
District Judge: Honorable Sue L. Robinson

Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B) or Summary Action
Under Third Circuit LAR 27.4 and I.O.P. 10.6
August 23, 2007

Before: SLOVITER, CHAGARES AND COWEN, CIRCUIT JUDGES.

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the District of Delaware and was submitted for possible dismissal under 28 U.S.C. § 1915(e)(2)(B) or summary action under Third Circuit LAR 27.4 and I.O.P.

10.6. On consideration whereof, it is now here

ORDERED AND ADJUDGED by this Court that the appeals are dismissed under 28 U.S.C. § 1915(e)(2)(B). All of the above in accordance with the opinion of this Court.

ATTEST:

Marcia M. Waldron

Clerk

DATED: September 6, 2007

Certified as a true copy and Issued in lieu
of a formal mandate on 10/29/07
Teste: Marcia M. Waldron
Clerk, U.S. Court of Appeals for the Third Circuit
A True Copy
Marcia M. Waldron

Marcia M. Waldron, Clerk
Certified order issued in lieu of mandate.

ALD-355

NOT PRECEDENTIAL

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Before: SLOVITER, CHAGARES AND COWEN, CIRCUIT JUDGES.

(Filed: September 6, 2007)

OPINION

PER CURIAM

Appellant Kamal Karna Roy a/k/a Jungle Democracy and other aliases, filed a pro se complaint in the United States District Court for the District of Delaware. He was granted leave to proceed in forma pauperis under 28 U.S.C. § 1915. Roy filed his lawsuit against numerous defendants, including God, the United States of America, United States President George Bush, Chief Justice of the United States Supreme Court John G. Roberts, the Prime Minister of India, agencies and officials of the State of New York, Kentucky Fried Chicken, and The New York Times. Roy's complaint consists of what appear to be excerpts of his previous lawsuits.¹ Among other things, the complaint contains references to discrimination, deprivation of government benefits, corruption, the loss of the power of God to the rulers of society, actions taken by President Bush, Roy's exception to Chief Justice Roberts being named to the United States Supreme Court, and the government of India's violation of civil rights concerning pension benefits. Roy sought "up to one-half billion dollars" in United States currency in damages. The District Court dismissed the complaint as frivolous under 28 U.S.C. § 1915(e)(2)(B). Roy

¹ The District Court's order contains a list of Roy's numerous lawsuit filed throughout the United States and its territories.

appeals² and has been granted leave to appeal in forma pauperis.

The federal in forma pauperis statute permits an indigent litigant to appeal without paying the administrative costs of proceeding with the appeal. 28 U.S.C. § 1915. The statute protects against abuses of this privilege by allowing the appeals court to dismiss the appeal if it is frivolous. Denton v. Hernandez, 504 U.S. 25, 27 (1992). An action is frivolous if it “lacks an arguable basis either in law or in fact.” Neitzke v. Williams, 490 U.S. 319, 325 (1989). We may dismiss the appeal where the factual allegations are delusional, irrational, or wholly incredible. Hernandez, 504 U.S. at 33. Upon review of the record, we agree with the District Court’s assessment of the complaint and conclude that the appeal is “clearly baseless” under the Neitzke standard.

We will dismiss the appeal as frivolous under 28 U.S.C. § 1915(e)(2)(B).

² The District Court dismissed the complaint by memorandum order entered April 13, 2007, as later amended by its revised memorandum order entered April 24, 2007. Roy filed a notice of appeal and an amended notice of appeal concerning these orders. The two appeals have been consolidated for all purposes.